

Councillor Frank James (Mayor)

Present (for all or part of the meeting):-

Councillors:

|               |                |
|---------------|----------------|
| Aspin K M     | McKeown B      |
| Barron J A    | McNaughton A R |
| Beatty F E    | McNaughton D M |
| Carter E L    | Nixon A        |
| Cooke R P     | Nixon J A      |
| Cooper A G    | Nixon L        |
| Cross B M     | Pardesi G P K  |
| Edgeller A P  | Pearce A N     |
| Edgeller P C  | Pert J M       |
| Fordham I D   | Phillips M     |
| Godfrey A T A | Read J P       |
| Hobbs A D     | Reid A F       |
| Hood J        | Rose J T       |
| James R A     | Rouxel D P     |
| Jones E G R   | Sandiford A J  |
| Jones P W     | Thorley J      |
| Kenney R      | Winnington M J |
| Loughran A M  |                |

Officers in attendance:-

|             |   |                                    |
|-------------|---|------------------------------------|
| T Clegg     | - | Chief Executive                    |
| C Forrester | - | Deputy Chief Executive (Resources) |
| I Curran    | - | Head of Law and Governance         |
| W Conaghan  | - | Press and Communication Manager    |
| J Dean      | - | Democratic Services Officer        |

## **C28 Minutes**

The minutes of the meeting held on 10 September 2024 were agreed as a true and correct record.

## **C29 Apologies**

Apologies for absence were received from Councillors M G Dodson and S N Spencer.

### **C30 Announcements**

The Mayor confirmed that invitations had been sent for the Gala Night of the Stafford Gatehouse pantomime “Jack and the Beanstalk”. Tickets were available from the box office.

The Mayor noted that invitations had been sent for the Borough Civic Carol Service to be held in St Mary’s church, Stafford, on Sunday 15 December 2024, at 6.30pm.

The Mayor reminded Members of the recent invite to the newly opened Staffordshire History Centre and encouraged all to attend.

It was with sadness that the Mayor announced the passing of former Councillor Andrew Scott Harp. All present observed a minutes silence as a mark of respect.

### **C31 Councillor Session**

(a) Councillor J M Pert had submitted the following question in accordance with Paragraph 12.3(a) of the Council Procedure Rules:-

“Please could the Cabinet Member for Resources outline the full impact of the recent Labour budget on all residents of Stafford Borough and on the financial sustainability of small businesses in the Borough, including those in the rural areas?”

Councillor R P Cooke, Cabinet Member - Resources Portfolio responded as follows:

“Mr Mayor, having read the question this seems to be a query best suited for a central government response. As local Council we do not control central government policy, The question is very broad ranging in that it covers ALL residents, from babies to those at the other end of life along with all of those in between, together with an impact analysis of every small business (unidentified) in the Borough. The population of the Borough is about 136,800 with a very large number of such businesses.

The Council would therefore have to determine the individual financial circumstances of every resident and small business with the Borough.

Clearly, and with great respect to the questioner, this is not possible for us to do without the expenditure of very considerable staffing and financial resources, which is likely to have a negative impact on service delivery as, alas, the money cannot be spent twice”.

Councillor Pert asked the following supplementary question:

“Could the Cabinet Member re-visit his answer and provide an appropriate response?”

Councillor Cooke reiterated that the question asked for details of the full impact on all residents of the Borough, which would take considerable resources to establish.

Councillor M J Winnington asked the following question:

“Will the Council do everything in its power to lobby central government to persuade the Chancellor to repeal his budget?”

Councillor F Beatty asked the following question:

“Is the ruling administration making robust representations against the Chancellor’s budget?”

Councillor A P Edgeller asked the following question:

“Does Councillor Cooke think that he has to consider all affected people within the Borough?”

The Head of Law and Governance informed Members that the 10 minute time limit for consideration of such items as provided for under 12.6 of the Council Procedure Rules had been reached, and that the matter not be considered further.

(b) Councillor A P Edgeller has submitted the following question in accordance with Paragraph 12.3(a) of the Council Procedure Rules:-

“Can the Cabinet Member for the Environment confirm when the Council was first made aware of the issue on Peach Avenue, Silkmore, Stafford? I personally reported neighbours concerns a long time ago and no action was taken. The householder was using their garden as a waste disposal site, with the infestation of rats and other vermin, burning of rubbish through the day and night. Can he confirm what options were considered when this first came to the Council’s attention?”

Councillor I D Fordham, Cabinet Member - Environment Portfolio responded as follows:

“Thank you Mr Mayor, and thank you to Councillor Edgeller for raising an issue that I know has concerned all Members in this chamber.

I wish to start by acknowledging that it is a matter of great regret that the residents of Peach Avenue have had to tolerate these problems.

As I hope to explain, there was legal process to follow and a need to resolve the issues for the long term so they would not recur. As I shall also explain, the problems suffered by these residents should now hopefully be over.

To respond directly to the question, so far as I have been able to establish the Council first received reports of inappropriate activity at Peach Avenue in late September last year.

Visits by Officers confirmed a genuine problem. The tenant was told that he must stop the activity. But the tenant was uncooperative.

Attempts were made to identify and contact the absentee landlord of what is a privately owned property.

An enviro-crime warning letter was served on the tenant.

Following reports of ongoing waste disposal at the property, the Environment Agency was contacted to investigate whether the tenant held any licences. He did not.

The Police were contacted and started checking vehicles that might be involved in waste disposal at the site. A van found to have been used by the tenant to transport waste was removed.

After further dialogue the tenant promised to cease the activity. But this did not happen.

The site was filmed as an evidential record should it be required.

The Council served a Section 215 notice under the terms of the Town and Country Planning Act. The notice required a clearing of the land within a 28-day period in order to protect residential amenity.

A stop notice was also served to prevent a further build up of waste following the clearance.

Despite the s215 notice, stop notice and further dialogue with the tenant, there had been no change of behaviour at the end of the 28 day period.

A formal letter was served under caution to owner of property.

The Leader demanded that the problem be resolved without further delay. A senior officer was appointed to co-ordinate activity and drive things forward. Because it was an issue cutting across several Cabinet portfolios the Leader asked me to oversee progress.

I can confirm to Members that officers have achieved the first objective: the tenant has been evicted, the waste cleared, the house boarded up and the site fenced off to prevent fly tipping.

So, how was this achieved?

Officers worked with internal and external Solicitors to schedule and prepare for a Court hearing to consider a Closure Order on the property under the ASB, Crime and Policing Act.

Notice of the Court hearing was served on the tenant by officers - with Police support.

Multiple visits were made to the site by PC, EH, and CS to monitor activity, to bait the area to deter vermin - and to further build the legal case.

The Court hearing held on 8 November 2024 resulted in the closure order being granted. This meant that the property had to be vacated and closed to all but authorised personnel for a period of 3 months.

A waste clearance contractor was instructed to remove all waste at the property - 11 lorry loads were taken away.

The windows of the house were boarded up to prevent unauthorised entry.

A second contractor was used to fence off the site to prevent unauthorised access or fly tipping.

Signs were erected at the site informing that unauthorised access could result in arrest.

The site has been baited multiple times by our pest control team to eliminate the vermin.

Local residents have been notified that pest control will bait their property without charge if they have experienced vermin as a result of the tenants' illegal activities. 3 householders have taken up this offer and pest control will be re-baiting at each property for the next 4 weeks.

The cost of all these operations are being assessed, and the ex-tenant will be presented with the bill.

Our second objective is to return the property to normal residential use.

I can confirm to members that the Council has received contact from the solicitor acting for the property owner confirming that an Order for Possession has been granted by the owner. This means that the Council will not need to seek an extension of the closure order - and the tenant can no longer return to the property.

Therefore, we should achieve our second objective as the property will be let to a new tenant once the owner has carried out the necessary repairs - and it should be more of a positive addition to the street scene.

There has been significant resource and cost expended over months to deal with a complex issue - especially difficult when faced with an un-cooperative tenant and an absentee landlord - and the need to end a serious situation for residents once and for all.

The most important thing for me is that we have this situation resolved for the residents.

I must reiterate that we needed to achieve not only the removal of this unsightly mess, but also to prevent it happening again. Without the action that has been taken that might well have happened. And I am sure members will now appreciate the level of activity given to this issue by our officers.

I am equally sure that residents are relieved that their ordeal is over - and I am sure that members are relieved that an unsatisfactory situation has been resolved.

Thank you, Mr Mayor.”

Councillor A P Edgeller asked the following supplementary question:

“Thank you for your reply, but why has it taken over 12 months to resolve the situation? Can the Cabinet Member give assurance that such a terrible situation won't happen again?”

Councillor Fordham responded as follows:

“The residents have suffered for too long because of an un-cooperative tenant in a privately owned property, where the landlord was not easily contactable.

I have already outlined the complexities, for example the legal process and the various attempts to stop the activities. I would stress that when I was asked to become lead Cabinet Member for this issue, my main goal was to ensure it was resolved through halting the activity, removal of the mess, and bringing the house back into regular and acceptable use. This has all been achieved”.

Councillor J M Pert asked the following question:

“Thank you for your response; will the Cabinet Member now work with his Cabinet colleagues when providing answers to future questions?”

Councillor R P Cooke asked the following question:

“May we have assurances that Officers will meet as soon as possible to co-ordinate an appropriate response, should such a situation again arise?”

Councillor Fordham confirmed that was the intention of Cabinet and Leadership Team.

### **C32 Notice of Motion**

A Notice of Motion pursuant to Paragraph 13.1 of the Council Procedure Rules had been proposed by Councillors R Kenney and A T A Godfrey as follows:-

“The Council is asked to approve the lifting of car parking fees from 09.00 to 23.59 Saturdays 7, 14 and 21 December, with the exception of Riverside and Waterfront car parks.

Stafford Borough Council’s Cabinet hope the lifting of parking fees in Stafford and Stone the three Saturdays before Christmas will help increase the number of people visiting our town centres at this very important time of year for retail, hospitality, and other businesses.

The Council hope this early Christmas present will be welcomed by traders and visitors alike. Merry Christmas.”

During consideration of the matter, an amendment to the motion was moved by Councillor M Phillips and seconded by Councillor M J Winnington as follows:-

“The Council is asked to approve the lifting of car parking fees from 09.00 to 23.59 Saturdays 7, 14 and 21 December and 09:00 to 23:59 on Sundays 8, 15 and 22 December, including Riverside and Waterfront car parks...”

The Chief Executive advised members that there would be technical issues in attempting to lift fees at Riverside and Waterfront car parks for limited periods, due to the software and equipment used to manage entry and egress at those car parks. The Waterfront Car Park was also used for contract parking for business and local organisations who may object to the public being provided with free parking on the days suggested when they have paid for their parking in advance. The cost of extending free parking in the way suggested in the amendment had not been assessed as Officers had not been made aware of the proposals prior to the meeting.

A point of order was raised as to whether the motion could be extended to include Sundays, as procedure rules required any motions with financial implications to first be considered by Cabinet. A point of order was also raised about whether the original motion complied with this rule.

The Head of Law and Governance advised that the rules on financial implications were designed to ensure that Cabinet received appropriate financial advice before making recommendations to Council. It was confirmed that Cabinet had discussed the motion and had received financial advice before submitting it. There would be an additional financial impact to lifting fees on Sundays also, and the rules would usually require such proposals to be referred back to Cabinet. It was advised that Council did have authority to waive that rule in this instance. However, the purpose of that rule was to ensure that financial decisions are made prudently with the benefit of professional advice and that it would not be advisable to proceed on that basis.

Councillor Phillips proposed that her amendment be altered so that it now excluded reference to Riverway and Waterfront car parks.

Members of the Council discussed the amendment to the report as provided by paragraph 15 of the Council Procedure Rules.

At the conclusion of the debate and in accordance with Paragraph 17.4(a) of the Council Procedure Rules a recorded vote was taken; voting on the amendment was as follows:-

| <b>For</b>   | <b>Against</b> | <b>Abstain</b> |
|--------------|----------------|----------------|
| K M Aspin    | J A Barron     |                |
| F E Beatty   | R P Cooke      |                |
| E L Carter   | I D Fordham    |                |
| A G Cooper   | A T A Godfrey  |                |
| B Cross      | A D Hobbs      |                |
| A P Edgeller | J Hood         |                |
| P C Edgeller | F D J James    |                |
| R A James    | R Kenney       |                |
| E G R Jones  | A M Loughran   |                |
| P W Jones    | B McKeown      |                |
| J A Nixon    | A R McNaughton |                |
| L Nixon      | D M McNaughton |                |
| J M Pert     | A Nixon        |                |
| M Phillips   | G P K Pardesi  |                |



| <b>For</b>     | <b>Against</b> | <b>Abstain</b> |
|----------------|----------------|----------------|
| D P Rouxel     | A N Pearce     |                |
| A J Sandiford  | J P Read       |                |
| M J Winnington | A F Reid       |                |
|                | J T Rose       |                |
|                | J Thorley      |                |

The Mayor declared that the amendment was lost.

The original proposal was considered as provided for in the Council Procedure Rules.

Members subsequently voted on the Motion as set out above which on being put to the vote was declared to be carried.

### **C33 Recommendations Referred from Cabinet**

Council was requested to consider the following recommendations from the Cabinet meeting held on 7 November 2024 in respect of the following matters:

- (i) Statement of Licensing Policy 2025-30 - Minute Number CAB30/24

“That:-

- (a) the Statement of Licensing Policy 2025 be approved and be recommend to Council to adopt and publish the Statement as detailed in appendix 1 of the report;
- (b) the Head of Regulatory Services be authorised to make any amendments to the Policy required due to changes in legislation or government guidance and minor variations to the Policy in the interests of operational efficiency”.

Councillor I D Fordham proposed and Councillor R Kenney seconded that the recommendations of Cabinet be approved.

On being put to the vote the matter was declared to be carried.

RESOLVED:- that:-

- (a) the Statement of Licensing Policy 2025 be adopted and published;

- (b) the Head of Regulatory Services be authorised to make any amendments to the Policy required due to changes in legislation or government guidance and minor variations to the Policy in the interests of operational efficiency.

- (ii) Gambling Act 2005 - Statement of Principles 2025 - 2028 - Minute No CAB31/24

“That:-

- (a) the Gambling Act 2005 Policy Statement 2025 as set out at appendix 1 of report be approved and recommended to Council for adoption and publication;
- (b) the Head of Regulatory Services be authorised to make any amendments to the Policy required due to changes in legislation or government guidance and minor variations to the Policy in the interests of operational efficiency”.

Councillor I D Fordham proposed and Councillor R Kenney seconded that the recommendations of Cabinet be approved.

On being put to the vote the matter was declared to be carried.

RESOLVED:- that:-

- (a) the Gambling Act 2005 Policy Statement 2025 as set out at appendix 1 of report be adopted and published;
- (b) the Head of Regulatory Services be authorised to make any amendments to the Policy required due to changes in legislation or government guidance and minor variations to the Policy in the interests of operational efficiency.

Members were advised that the information supporting the following recommendations was contained within confidential Cabinet reports and if they wished to debate the contents of those reports, then they would need to consider excluding the public and press from that part of the meeting.

- (iii) Revenues and Benefits Computer Systems - Confidential - Minute No CAB37/24

“That:-

- (a) the approval of the funds required to upgrade the Revenues and Benefits computer systems and the inclusion of this in the capital programme be recommended to Council;

- (b) approval to spend on the replacement of the Revenues and Benefit system be granted;
- (c) the Section 151 officer be authorised to agree the details of the contracts required to affect the upgrades.

Councillor R P Cooke proposed and Councillor A T A Godfrey seconded that the recommendations of Cabinet be approved.

On being put to the vote the matter was declared to be carried.

RESOLVED:- that:-

- (a) the funds required to upgrade the Revenues and Benefits computer systems and the inclusion in the capital programme be approved;
  - (b) spend on the replacement of the Revenues and Benefit system be granted;
  - (c) the Section 151 officer be authorised to agree the details of the contracts required to affect the upgrades.
- (iv) Proposed Purchase of Civic Centre, Stafford - Confidential - Minute No CAB38/24

“That the purchase of the Civic Centre and the consequential increase in the authorised and operational borrowing limits in the treasury strategy, equivalent to the purchase price, be recommended to Council”

The Leader of the Council advised that further detail in respect of this matter was awaited to allow Members to make a fully informed decision, and as such requested that consideration of said item be deferred.

RESOLVED:- that consideration of the matter be deferred to a future meeting of the Council, pending receipt of all appropriate information.

### **C34 Pavement Licences**

Considered the report of the Head of Regulatory Services.

Councillor I D Fordham introduced the report and noted the recommendations as set out in paragraph 2 before concluding his comments by moving that said recommendations be approved.

The proposal to approve the recommendations was seconded by Councillor R Kenney.

The matter was then put to the vote and subsequently declared to be carried.

RESOLVED:- that:-

- (a) Government's introduction of permanent legislation and revised guidance to support local businesses in relation to the granting of Pavement Licences, enabling those businesses selling food or drink to better utilise outside space for seating/serving areas be noted;
- (b) the revised policy as detailed in appendix 1 of the report in respect of Pavement Licensing and delegation to the Head of Regulatory Services authority to make any amendments or additions be approved;
- (c) Fees of £200 for new applications and renewals under the regime be approved;
- (d) Authority to grant and/or revoke licences, refuse applications, attach conditions, and serve relevant notices be delegated to the Head of Regulatory Services.

At the conclusion of the meeting the Mayor wished all present the compliments of the season.

MAYOR